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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,935	05/22/2001	Christoph A. Aktas	2001P08524US	9993

7590 12/23/2004

Siemens Corporation
Att: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

WOZNIAK, JAMES S

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/863,935	Applicant(s) AKTAS ET AL.	
	Examiner James S. Wozniak	Art Unit 2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/15/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13 and 15-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13 and 15-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ 217Y
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the office action from 6/16/2004, the applicant has submitted an amendment, filed 9/15/2004, submitting a new Fig. 1, canceling claims 6 and 14, adding claims 17-22, and amending Claims 1, 5, 7, 9, 13, and 15 to add the previously unclaimed limitations regarding user definable parameters in a message conversion that includes priority and summarization rules, while arguing to traverse the art rejection based on the limitation regarding the user defined parameters (*Amendment, Page 8*). Applicant's arguments have been fully considered, however are moot with respect to the new grounds of rejection in view of Jones (U.S. Patent: 5,742,763), which was necessitated by the claim amendments.
2. Based on the amendments to the Fig. 1, the examiner has withdrawn the previous objections directed towards minor informalities.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-2, 4, 9-10, 17, and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tullis et al (*U.S. Patent: 5,802,314*) in view of Jones (*U.S. Patent: 5,742,763*).

With respect to **Claims 1 and 9**, Tullis discloses:

A multimedia mailbox system and associated management method, comprising:

- a) A message store for storing multimedia messages (*RAM or fixed disk for storing multimedia messages, Col. 7, Lines 29-42, and Fig. 3A.*).
- b) A plurality of data converters for converting messages in one medium to messages in another medium (*multiple media conversions, Col. 14, Line 25- Col. 15, Line 6*).

Although the message conversion method disclosed by Tullis is performed according to user preference (*desired conversion, Col. 15, Lines 2-6*), the utilization of user parameters including priority and summarization rules are not specifically suggested, however Jones recites a means for converting a message media format that includes message summarization and prioritization according to user (*entity*) specified preferences (*Col. 9, Lines 16-64*).

Tullis and Jones are analogous art because they are from a similar field of endeavor in message media format conversion. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Tullis with the means for message summarization and prioritization according to an entity preference as taught by Jones to provide a user with a plurality of configurable message handling services, thus increasing the flexibility of the media message conversion system taught by Tullis (*Jones, Col. 9, Lines 16-56*).

With respect to **Claims 2 and 10**, Tullis recites:

The plurality of data converters includes at least two selected from the group consisting of a text to speech converter, a speech to text converter, and a fax to text converter (*speech*

synthesis, speech-to-text conversion, and image-to-text conversion, Col. 14, Line 25- Col. 15, Line 6).

With respect to **Claims 4 and 12**, Tullis discloses:

Means for assigning a reference number to each message (*numerical message labels, Col. 7, Lines 45-47 and Fig. 3A, Element 62*).

With respect to **Claims 17 and 20**, Jones further discloses:

The set of user-definable parameters includes sender information (*Col. 9, Lines 16-64*).

5. **Claims 3, 5-8, 11, and 13-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tullis et al in view of Jones, and further in view of Horowitz et al (*U.S. Patent: 6,236,987*).

With respect to **Claims 3 and 11**, Tullis in view of Jones teaches the multimedia messaging system and associated management method utilizing user-defined parameters in message media conversion as applied to Claims 1 and 9. Although Tullis does teach a means for searching a message database (*Col. 2, Lines 36-41*), the search is not based upon linguistics, nor is any linguistic relation made between the messages, however Horowitz discloses:

Means for linguistically based searching of multiple message types and for linguistically relating multiple messages of different type (*semantically based search of multimedia documents semantically grouped into topics, Col. 3, Lines 13-25, Col. 10, Line 62- Col. 11, Line 5, and Fig. 2*).

Tullis, Jones, and Horowitz are analogous art because they are from a similar field of endeavor in multimedia document management. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the teachings of Tullis in view of

Jones with the multimedia messaging system as taught by Tullis to provide a means to easily organize and navigate multimedia documents (*Horowitz, Col. 2, Lines 55-63*), thus enabling more efficient document access in a multimedia messaging system.

Claims 5 and 13 contain subject matter similar to Claims 1, 3, 9, and 11, and thus, are rejected for the same reasons.

Claims 7 and 15 contain subject matter similar to Claims 1, 3, 4, 9, 11, and 12 and thus, are rejected for the same reasons.

Claims 8 and 16 contain subject matter similar to Claims 2 and 10, and thus, are rejected for the same reasons.

Claims 18-19 and 21-22 contain subject matter similar to Claims 17 and 20, and thus, are rejected for the same reasons.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Abu-Hakima (*U.S. Patent: 6,499,021*)- teaches text-to-speech conversion, prioritizing, and summarizing for email messages.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE** MONTHS from the mailing date of this action. In the event a first reply is filed within **TWO** MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (703) 305-8669 and email is James.Wozniak@uspto.gov. The examiner can normally be reached on Mondays-Fridays, 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached at (703) 305-4827. The fax/phone number for the Technology Center 2600 where this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 306-0377.

James S. Wozniak
12/9/2004


DAVID L. OMETZ
PRIMARY EXAMINER